

## No. 154.

## Supplement

To the act passed the twenty-ninth day of March, Anno Domini, one thousand eight hundred and thirty-two, entitled An act relating to Orphans' Courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all accounts presented to the Orphans' Court by executors, administrators, guardians or trustees, shall be examined by the court, and if not excepted to, shall, after due consideration, be confirmed: but if any person interested in the estate shall except to the account, and all or any of the parties shall desire to refer the account to auditors, the court shall decide whether the matters contested call for such reference, and if they do, the court shall appoint three suitable persons; or where the parties are all present or duly represented, and competent to agree and desire a reference, they may appoint the auditors; and the persons so appointed, shall be sworn or affirmed to perform their duty with fidelity, and shall have power to administer oaths and affirmations to parties and witnesses in all cases referred to them: *Provided,* The provisions of this section shall not extend to the city and county of Philadelphia.

Accounts presented to O. Court to be examined by court.  
Confirmation.

Auditors appointed.

Proviso.

SECTION 2. In the proceedings for the partition and valuation of an intestate's real estate, the parties in interest shall be named in the petition, decree and notices, when known, but if it shall appear on oath or affirmation that the names or residence of any of the parties are unknown to the applicant for the partition, the Orphans' Court shall have power to direct such notices to be given to such parties by publication in public newspapers, describing the parties, as far as practicable, as shall appear to the court to be reasonable and proper, and the proceedings shall be as effectual, to all intents and purposes, as if all the parties had been named in the proceedings.

Of partition and valuation

Power of Orphans' Ct.

SECTION 3. So much of the sixth section of the act relating to registers and register courts, passed the fifteenth day of March, eighteen hundred and thirty-two, as provides that no letters testamentary or of administration or otherwise, purporting to authorize any person to intermeddle with the estate of a decedent, which may be granted out of this Commonwealth, shall confer upon such person any of the powers and authorities possessed by an executor or administrator, under letters granted within this State, and so much of the seventh section of the act relating to Orphans' Courts, passed the twenty-ninth day of March, one thousand eight hundred and thirty-two, as provides that "no appointment of a guardian made or granted by any authority out of this State, shall authorize the person so

Registers & Regist's Cts.

Orphans' Ct.

appointed to interfere with the estate of a minor in this State," are hereby declared and enacted not to apply to any public debt or loan of this Commonwealth; but such public debt or loan shall pass and be transferable, and the dividends thereon accrued and to accrue, be receivable in like manner in all respects and under the same and no other regulations, powers and authorities, as were used and practised before the said recited acts were passed.

Supreme Ct.  
to hear and  
determine.

SECTION 4. The Supreme Court of this Commonwealth shall, in all cases of appeal from the definitive sentence or decree of the Orphans' Court, hear and determine the same, as to right and justice may belong, and refer the same to auditors, when in their discretion they may think proper.

JAMES THOMPSON,  
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-five.

GEO: WOLF.

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No. 155.

### An Act

Authorizing the Commissioners of the Internal Improvement fund to apply certain moneys to the payment of interest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the internal improvement fund are hereby authorized and required, if there should be any deficiency in the fund for the payment of interest on the first day of August next, to apply such portion of the moneys that may be in their hands for the construction of canals and rail roads, as will meet the deficiency, which sum or sums are to be repaid out of the funds pledged for the payment of interest.

JAMES THOMPSON,  
Speaker of the House of Representatives.

THOMAS S. CUNNINGHAM,  
Speaker of the Senate.

APPROVED—The fourteenth day of April, one thousand eight hundred and thirty-five.

GEO: WOLF.